

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
UNITED STATES OF AMERICA,

17-cr-280 (PKC)

-against-

ORDER

IGNATIUS UDEZE,

Defendant.

-----x
CASTEL, U.S.D.J.

Defendant Ignatius Udeze complains in a motion labelled “Judicial Notice” (ECF 144) that an immigration detainer has been lodged against him. (ECF 144 at ¶ 7.) The existence of the detainer is confirmed in the “Release Planning” section of his “Summary Reentry Plan-Progress Report” that he attaches.

In the context of defendant’s criminal prosecution, this Court does not have subject matter jurisdiction to adjudicate the propriety of a detainer lodged by Immigration and Customs Enforcement (“ICE”) nor to adjudicate or adjust his immigration status.

Mr. Uzede expressed his understanding of the immigration consequences of his guilty plea at the time of his plea allocution. (ECF 82 Tr of 10/5/18 at 12-13.) Indeed, in a letter to the Court dated October 31, 2022, he expressed “my sincere desire, to be placed back in my country, which is Nigeria. . . .,” adding that “I have no ties to this country. . . .” (ECF 139.)

The motion (ECF 144) is DENIED.

SO ORDERED.


P. Kevin Castel
United States District Judge

Dated: New York, New York
March 2, 2023

Mailed to Mr. Udeze Ezenwa 3/2/2023